

Appl. No.: 10/825,491

Amdt. Dated January 27, 2010

Response to Office Action Mailed October 20, 2009

REMARKS:

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On the Amendments. Claim 9 has been amended to rewrite the final clause of the prior version of the claim, namely: *"changing a state of a chamfering portion in the simulation when the special chamfering positional mark is moved toward the chamfering positional mark"* as an explicit part of the displaying step.

No new matter is added in the amendment above; it merely rewrites a portion of the prior version of this claim. Support for the amendment is found in the original specification as published, U.S. Pat. App. Pub. 2004/0209547 at, among other places, FIG. 11 and Para. [0126]. The feature *"displaying... a state of a chamfering portion"* is shown with reference numeral 37 in FIG. 11 and is discussed in Para. [0126]. The *"displaying ... a change in the state of the chamfering portion"* is shown by the dotted line 37 in FIG. 11, showing the change in the state of the chamfering portion, as the special chamfering positional mark S_{tc} is moved toward the chamfering positional mark S_{fc} during the simulation. These features of the displaying step also are depicted in FIGS. 12-13.

On the Rejections. Applicant requests reconsideration and withdrawal of the pending rejections of the claims, for the following reasons. Prior responses to Office actions in this application are hereby incorporated by reference into this reply.

Claim 9 as amended is fully distinguished over the disclosure of the cited reference, Japanese Pat. App. Pub. No. 2002-126985 (hereinafter, "985") (citations below are made to the English equivalent in U.S. Patent No. 6,688,944), and is neither anticipated nor rendered obvious thereby. In amended claim 9, the following features of the method steps are claimed:

displaying

a special chamfering positional mark showing a position of the lens shape,

a chamfering positional mark showing a most thinning position of an edge thickness and a chamfering width,

a sectional shape at the chamfering positional mark of the lens shape,

an edge sectional shape at the special chamfering positional mark of the lens shape to carry out a simulation processing of the eyeglass lens based on input matters, and

a state of a chamfering portion and a change in the state of the chamfering portion when the special chamfering positional mark is moved toward the chamfering positional mark in the simulation

It is noted in particular that the cited reference fails to disclose or fairly suggest the limitations in the displaying step of *displaying a special chamfering positional mark Stc showing a position of the lens shape, a chamfering positional mark Sfc showing a most thinning position of an edge thickness and a chamfering width, a sectional shape 32 at the chamfering positional mark Sfc of the lens shape, and an edge sectional shape 33 at the special chamfering positional mark Stc of the lens shape to carry out a simulation processing*

of the eyeglass lens. Moreover the cited reference fails to teach or fairly suggest the limitation in the displaying step of displaying a state of a chamfering portion 37 and a change in the state of the chamfering portion (dotted line 37, as depicted in FIG. 11), when the special chamfering positional mark Stc is moved toward the chamfering positional mark Sfc in the simulation. See Para. [0126] for a description of this aspect of the method.

With regard to this feature, the examiner states that:

Further, '985 teaches that a state of a chamfering portion is changed in the simulation when Mcf is moved toward Mtn, because the thickness of the lens, and the chamfering widths, change as the arbitrarily positioned special chamfering positional mark is changed relative to the chamfering positional mark, so therefore a "state of a chamfering portion" would change as well....

It is respectfully submitted, however, that the cited reference, rather than disclosing the method features recited above, discloses non-equivalent elements of a minimum edge thickness position mark Mtn, a maximum edge thickness position mark Mtc, an edge thickness confirming (arbitrary) position mark Mcf, a V-shaped protrusion Ytn having a chamfer shape at a position corresponding to the minimum edge thickness position mark Mtn together with its position and edge thickness value, a V-shaped protrusion Ytc having a chamfer shape at a position corresponding to the maximum edge thickness position mark Mtc together with its position and edge thickness value, and a V-shaped protrusion Ycf having a chamfer shape at a position corresponding to the edge thickness confirming (arbitrary) position mark Mcf together with its position and edge thickness value. ('944, col. 12, line 59 through col. 13, line 7).

The examiner has cited FIG. 9 of '944 in support of the rejection, but FIG. 9, and indeed, the rest of '944, fails to disclose in particular the displaying of a state of a chamfering portion 37 and a change in the state of the chamfering portion (dotted line 37, as depicted in FIG. 11), when the special chamfering positional mark Stc is moved toward the chamfering positional mark Sfc in the simulation. Enclosed herewith as Exhibit A is an annotated FIG. 11 of the instant

application with the claimed display feature circled, for ease of reference. Within the circled area is shown the solid and dotted lines 37, 37 whose relative positions depict the claimed feature of the display showing the change in the state of the chamfering portion, as the special chamfering positional mark S_{tc} is moved toward the chamfering positional mark S_{fc} during the simulation. In contrast, FIG. 9 of '944 shows a static display of various V-shaped protrusions Y_{tn}, Y_{tc}, and Y_{cf}, as explained above. These static pictures are in no way equivalent to the expressly claimed feature herein, of the method step limitation of displaying a state of a chamfering portion and a change in the state of the chamfering portion when the special chamfering positional mark is moved toward the chamfering positional mark in the simulation.

The benefit of the particular combination of method steps claimed herein is the ability of the worker processing the lens to see, during the lens processing simulation, the change in the state of the chamfering portion 37, 37 as the worker rotates the pointer 34 to move the special chamfering positional mark S_{tc} toward or away from the chamfering positional mark S_{fc}. This allows the worker to prepare eyeglasses having ease of wear and minimum weight, while also assuring that the worker is not required to add any additional operations or steps in order to process the lenses. See Para. [0014].

It is therefore respectfully submitted that no prima facie case of anticipation or of obviousness has been established. The cited reference fails to teach or render obvious the combination of features recited in amended claim 9. Accordingly, amended claim 9 and the claims dependent thereon, claims 10-11, are patentable over the disclosure of the cited reference, being neither disclosed therein nor rendered obvious by the combination of the disclosure with other prior art.

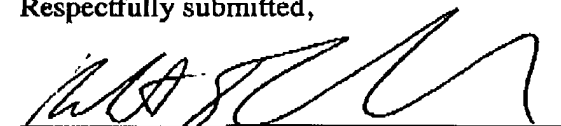
It is thus respectfully submitted that this application is in condition for prompt allowance; and that all of the objections, rejections and requirements raised in the Office action have been met. Early, favorable treatment of this application is requested.

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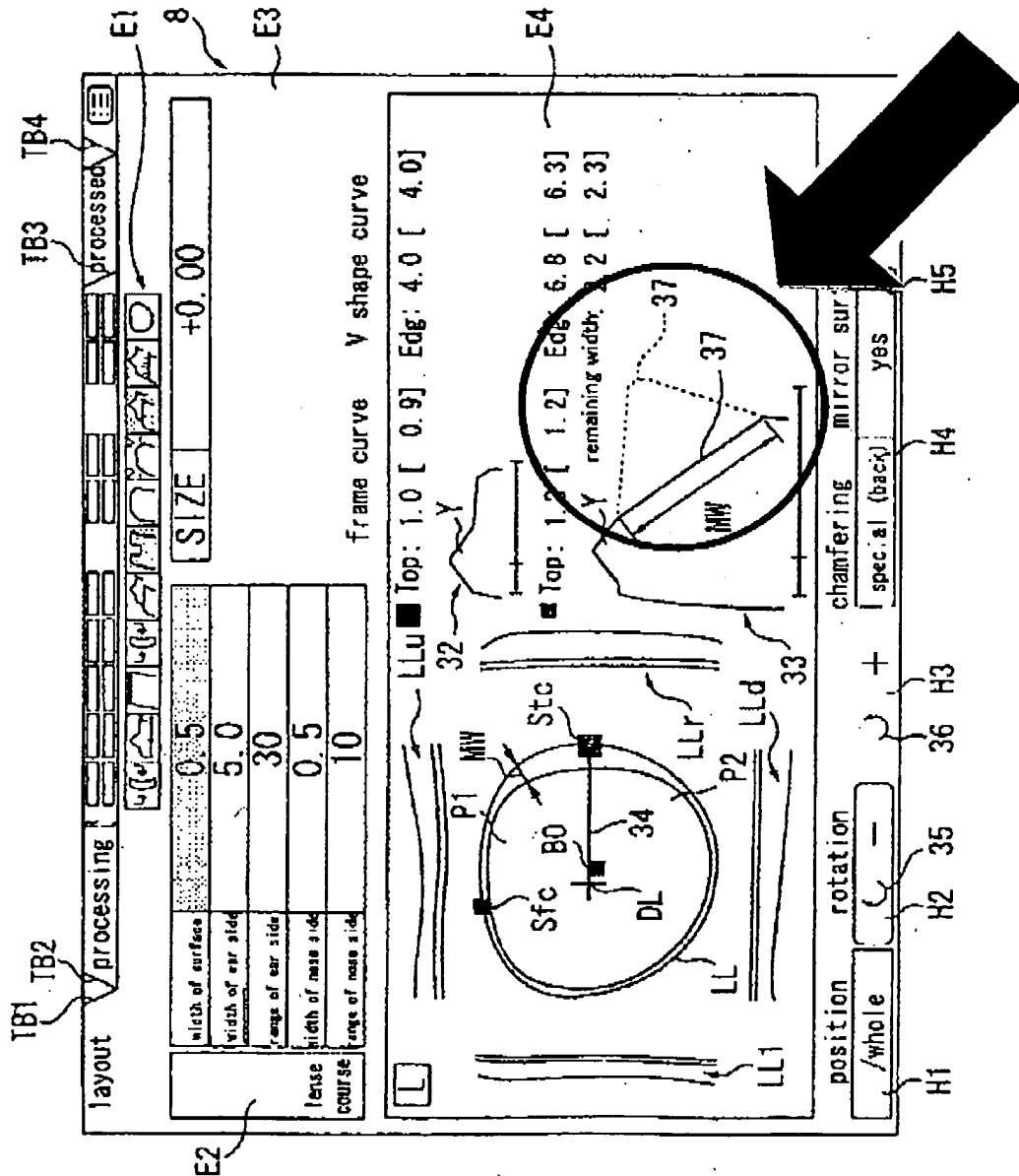
The examiner is encouraged to telephone the undersigned with any questions or comments so that efforts may be made to resolve any remaining issues.

Extension Request and Deposit Account Charge Authorization. The Commissioner is hereby authorized to charge any required fees, or credit any overpayment, associated with this communication, including fees for any necessary extension of time under 37 CFR §1.136(a) for filing this communication, which extension is hereby requested, to our Deposit Account No. 50-0305 of Chapman and Cutler LLP.

Respectfully submitted,


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Annotated FIG. 11 of App. Ser. No. 10/825,491:**EXHIBIT A**